



PETROLEUM REMEDIATION GRANT GUIDELINES

Introduction

The Indiana Brownfields Program (“Program”) offers Petroleum Remediation Grants to qualifying Indiana political subdivisions (as defined by Indiana Code (IC) 13-11-2-164(c)) (“Applicants”). Examples of political subdivisions that have qualified as Applicants for financial assistance from the Program can be found at <http://www.in.gov/ifa/brownfields/2366.htm>.

An Applicant may be awarded Petroleum Remediation Grant funding to finance environmental assessment and remediation activities for an identified brownfield within its jurisdiction. Not-for-profit or for-profit corporations may be co-applicants, but will not directly receive funding from the Program, as all awards are made only to the political subdivision involved in a project. Petroleum Remediation Grants may not be used to assess or remediate sites contaminated solely by hazardous substances, although sites contaminated by both hazardous substances and petroleum and sites that have commingled petroleum and hazardous substance contamination are eligible upon a determination by the Program following its review of available information on environmental site conditions.¹ Terms and conditions, if any, of an award of a Petroleum Remediation Grant will be detailed in an Applicant’s award letter, including conditions related to and a date after which the Petroleum Remediation Grant will expire (generally, if a financial assistance agreement (“Agreement”) has not been executed within six (6) months following Indiana Finance Authority Board approval of the Petroleum Remediation Grant). Applicants that are awarded Petroleum Remediation Grant funding are required to execute an Agreement with the regional consultant, the Indiana Finance Authority and the Indiana State Budget Agency.

In 2006, the Program issued a Request for Qualifications (“RFQ”) to environmental consulting firms interested in providing technical services to Applicants awarded brownfields Petroleum Remediation Grant funding. As part of the RFQ, the Program divided the State of Indiana into seven administrative regions (“Regions”) and selected consulting firms to perform all Petroleum Remediation Grant activities in each Region. A map depicting the Regions and the Program’s Project Manager for each Region is found as Attachment A to these guidelines. Each Region was initially allocated \$750,000 for the identification, assessment and remediation of eligible petroleum-contaminated brownfield sites. Up to twenty-five percent of each Region’s \$750,000 initial allocation (\$187,500) was set aside to perform Petroleum Remediation Grant activities at eligible petroleum-contaminated brownfield sites in communities with populations less than 10,000. Each regional consultant worked with Applicants in its Region to develop an inventory and prioritized list of potential Petroleum Remediation Grant sites using the criteria outlined below. Initial awards of Petroleum Remediation Grant funding to Applicants under the restructured program were approved by the Indiana Finance Authority Board in June 2007. To date, 88 sites have been awarded Petroleum Remediation Grant funding under the restructured program. Funding from the initial regional allocations may be re-allocated to another Region at the discretion of the Program based upon the funding required to complete projects initially awarded a Petroleum Remediation Grant in June 2007.

¹ Funding awarded for sites at which both hazardous substances and petroleum contamination are present, but the contamination is not commingled, will only be spent to address petroleum contamination on the Site; other funding is available from the Indiana Brownfields Program for the assessment and remediation of hazardous substances. Please visit <http://www.in.gov/ifa/brownfields/2366.htm> for more information.

Regional wait lists are now being maintained for each Region until such time as the Program determines the availability of additional funds. Political subdivisions that wish to include a site on the wait list for a Region to be considered for future Petroleum Remediation Grant funding should contact the Region's Program Project Manager. There is no application fee to add a site to a regional wait list.

Eligibility Criteria

To be eligible for Petroleum Remediation Grant funding, Applicants must demonstrate the following *at the time they request to have a site added to their Region's list of sites needing financial assistance*:

1. The property meets the definition of a brownfield.²
2. The Applicant or any entity involved in the project (i.e., co-applicant, property owner, developer) did not cause or contribute to the contamination found on the brownfield or own and/or operate at the site at the time of disposal of hazardous substances or a release of petroleum on the site at which the Petroleum Remediation Grant will be utilized.
3. The Applicant meets the definition of political subdivision (as defined by IC 13-11-2-164(c)).
4. If the Applicant intends to use Petroleum Remediation Grant funding to conduct a Phase II Environmental Site Assessment or remediation activities, it has completed, or has caused to be completed, an American Society for Testing and Materials ("ASTM") Phase I (Standard E1527-05), including any updates (180-day or one-year) required per the standard.
5. The site is not eligible to be addressed using the Excess Liability Trust Fund.
6. The current owner of the brownfield, if not the Applicant, has provided written consent to the Applicant for site access to perform the Petroleum Remediation Grant-funded activities. Access to the brownfield must be given to the State, the regional consultant, the Applicant, and any of their respective representatives or agents for the duration of the grant performance period (2 years from the execution date of the Agreement).

The following items are also considered threshold eligibility criteria and may disqualify a site from consideration for Petroleum Remediation Grant funding:

1. The site is subject to an open or pending state or federal enforcement action.
2. The site is under Resource Conservation and Recovery Act Corrective Action.
3. The site presents an imminent threat to human health or the environment.

Note: For purposes of threshold eligibility review, the Program, if necessary, may seek clarification of Applicant information and/or consider information from other sources, including Indiana Department of Environmental Management ("IDEM"), Indiana Finance Authority ("Authority"), or United States Environmental Protection Agency ("EPA") files. In addition, a determination of eligibility to receive brownfields grant assistance from the Authority under these guidelines does not release any party from obligations under any federal or state law or regulation, or under common law, and does not impact or limit state or EPA enforcement authorities against any party.

² A threshold issue evaluated by the Program in reviewing potential sites is whether the property on which grant funding is sought to be spent meets the definition of a brownfield, which is a parcel of real estate that is abandoned or inactive; or may not be operated at its appropriate use; and on which expansion or redevelopment is complicated because of the presence of potential presence of a hazardous substance, a contaminant, petroleum, or a petroleum product that poses a risk to human health and the environment. IC 13-11-2-19.3.

Eligible Uses of Grant Funds; Disbursement Procedures

Petroleum Remediation Grant funding can be used for eligible and approved assessment and cleanup activities at eligible brownfield sites which include the following:

- Phase I Environmental Site Assessments (ASTM E1527-05) or any updates (180-day or one-year) required per the standard
- Phase II Environmental Site Assessments and related activities
- Remediation Work Plan development
- Removal and disposal of underground and aboveground storage tanks and associated piping
- Soil and groundwater remediation activities, including in-situ soil and groundwater cleanup, soil excavation and disposal, and confirmatory sampling/monitoring activities

Assessment and remediation activities conducted with Petroleum Remediation Grants must be performed consistent with the IDEM Risk Integrated System of Closure (“RISC”) guidelines in effect at the time the Program approves the proposed grant activities. RISC is a set of health-based standards used to evaluate cleanup options and contaminants based on detailed site data and proposed site end use to determine the appropriate cleanup option and contaminant reduction level necessary. All activities conducted with Petroleum Remediation Grant funds must receive Program approval *prior* to implementation.

Petroleum Remediation Grant disbursements will be made by the Program to the regional consultant after the Program receives invoices for work performed that are consistent with Program-approved activities and represent eligible costs.

Ineligible Grant Activities

Petroleum Remediation Grant funding cannot be used for assessment or remediation costs related to hazardous substance contamination (unless it is commingled with petroleum contamination) or demolition-related costs. Reimbursement for prior assessment or remediation activities is not permitted.³ In addition, costs incurred due to specific requirements of the IDEM Voluntary Remediation Program (i.e., consultant oversight fees, application fees, etc.) will not be covered by the Petroleum Remediation Grant.

Selection Criteria

As a part of the initial development of regional inventory lists, projects that applied for Petroleum Remediation Grant funding were reviewed and ranked based in part upon the scoring criteria listed below. If additional Petroleum Remediation Grant funding is available in the future, sites on the regional wait lists will be evaluated and ranked based upon the following general factors:

- Redevelopment plans for the site – economic & community development potential (jobs and/or greenspace to be created, investment planned, etc.)
- Environmental and public health benefits
- Timeline for redevelopment/feasibility of project success/resources leveraged

³ Other funding is available from the Indiana Brownfields Program for hazardous substance assessment and remediation activities and demolition activities. Please visit <http://www.in.gov/ifa/brownfields/2366.htm> for more information.

- Community engagement and local support for the project
- Sustainability/environmental benefit/infrastructure reuse
- Geographic distribution of awards among Regions
- Amount and quality of previous environmental work & redevelopment projects completed (if applicable) by the community

Priority (“just in time”) Funding

If funds are available, Petroleum Remediation Grants may also be made available to fund Program-approved petroleum assessment and/or cleanup activities at sites⁴ that would fulfill immediate economic development project needs. A dollar-for-dollar match of such a Petroleum Remediation Grant must be provided by the Applicant (or a stakeholder involved in the project, on behalf of the Applicant) and the Applicant must submit a certification that a company or developer is imminently interested in redeveloping the site.⁵ The same eligibility requirements outlined above apply to a Priority Funding request. Please contact the Indiana Brownfields Program Financial Resources Coordinator at (317) 234-1688 prior to submitting your Priority Funding application to discuss your project.

Further Information

Additional information about Petroleum Remediation Grants, including a list of Frequently Asked Questions, is available at <http://www.in.gov/ifa/brownfields/2366.htm>.

We welcome comments on the Petroleum Remediation Grant at any time. Questions regarding these guidelines or the Petroleum Remediation Grant can be directed to the Program’s Financial Resources Coordinator by phone at (317) 234-1688. These guidelines may be modified at any time by the Indiana Finance Authority Board to address demand and other issues to promote the effective and efficient administration of the Indiana Brownfields Program.

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⁴ The Program will consider Priority Funding requests for sites that are not presently on a regional inventory or wait list or sites that are on a regional inventory or wait list, but have since developed an opportunity for immediate redevelopment.

⁵ The required certification should include details on relevant project considerations such as the timeline for redevelopment, intended future use of the site, proposed investment, and funding source for the dollar-for-dollar match. The Program may seek clarification of project plans and/or contact the end user/developer of the Site if additional information is necessary to determine the imminent nature of the redevelopment project.

Attachment A

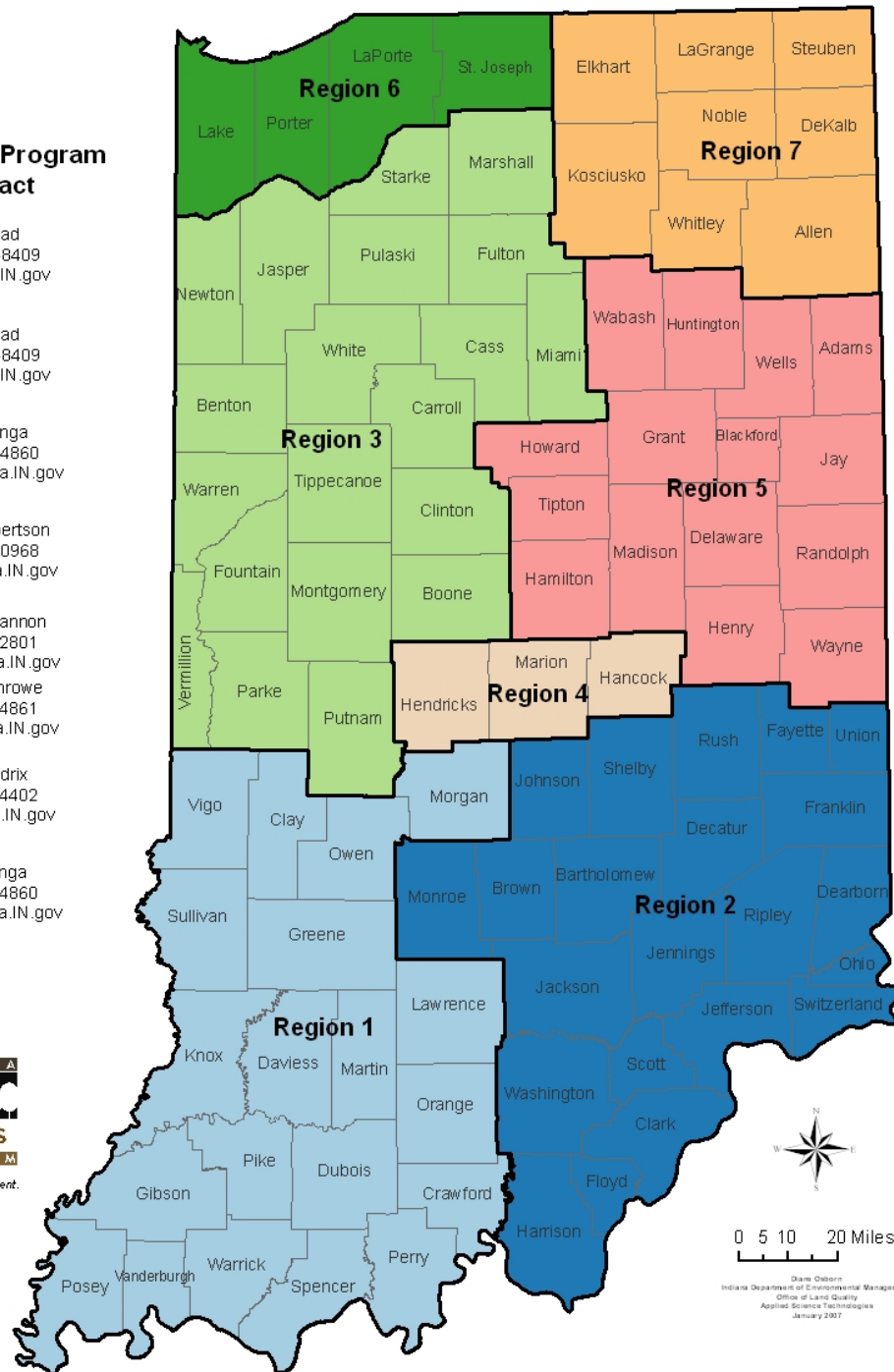
Petroleum Remediation Grant Regions and Indiana Brownfields Program Contacts

Indiana Brownfields Program Regional Contact

Region 1 (2506)	Ken Coad (317) 233-8409 kcoad@ifa.IN.gov
Region 2 (2475)	Ken Coad (317) 233-8409 kcoad@ifa.IN.gov
Region 3 (2318)	Bill Wieringa (317) 234-4860 wwieringa@ifa.IN.gov
Region 4 (2370)	Andrea Robertson (317) 234-0968 aroberts@ifa.IN.gov
Region 5 (2564)	Tracy Concannon (317) 233-2801 tconcann@ifa.IN.gov Lynette Schrowe (317) 234-4861 lschrowe@ifa.IN.gov
Region 6 (2620)	Kyle Hendrix (317) 232-4402 lhendrix@ifa.IN.gov
Region 7 (2484)	Bill Wieringa (317) 234-4860 wwieringa@ifa.IN.gov



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**Any general questions regarding Petroleum Remediation Grants
should be directed to Andrea Robertson at 317-234-0968 or by email at aroberts@ifa.IN.gov.**

This map does not represent a legal document. It is intended to serve as an aid in graphic representation only. Information shown on this map is not warranted for accuracy or completeness.